



[REDACTED]

Our ref: FOI/19/01152

28 May 2019

[REDACTED]

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 29 April 2019 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### **You asked for**

Information on the Rural Housing Fund:

- Details of each approved project (whether completed or not)
- Details of any pending projects yet to be approved
- Details of unsuccessful applications to the fund

### **Response**

Please find attached document (Reference FOI-RHF) with details of project applications to the main Rural Housing Fund. An exemption under section 33(1)(b) of FOISA (commercial interests) applies to some of the information requested. This exemption applies because disclosure of this particular information would, or would be likely to, prejudice substantially the commercial interests of applicants. Disclosing the information would be likely to give applicants who are still to obtain competitively tendered works costs a disadvantage in future tendering exercises, which could substantially prejudice applicants ability to gain competitive tenders and so could significantly harm the viability of their project.

This exemption is subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open and transparent government, and to help account for the expenditure of public money.

However, there is a greater public interest in protecting the commercial interests of applicants that are still to competitively tender for contractors.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Lesley Fraser, Director for Housing and Social Justice, The Scottish Government, Victoria Quay, Edinburgh, EH6 6QQ or by email [DirectorHSJ@gov.scot](mailto:DirectorHSJ@gov.scot). Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Regards,

